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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

9 SCOTT ERIK STAFNE,

10 Plaintiff,

11 v.

12 FREDERICK BENJAMIN BURNSIDE,  
13 et al.,

14 Defendants.

CASE NO. C16-0753-JCC

ORDER ON REVIEW OF MOTION  
FOR RECUSAL

15 This matter is before the Court on Plaintiff Stafne’s Motion to disqualify the Honorable  
16 Judge Coughenour. Dkt. #35. Judge Coughenour declined to recuse himself and, in  
17 accordance with this Court’s Local Civil Rules, the matter was referred to the Undersigned for  
18 review. Dkt. #37; LCR 3(f).

19 A judge of the United States shall disqualify himself in any proceeding in which his  
20 impartiality “might reasonably be questioned.” 28 U.S.C. § 455(a). Federal judges also shall  
21 disqualify themselves in circumstances where they have a personal bias or prejudice concerning  
22 a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28  
23 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, “whenever a party to any proceeding in a  
24 district court makes and files a timely and sufficient affidavit that the judge before whom the

1 matter is pending has a personal bias or prejudice either against him or in favor of any adverse  
2 party, such judge shall proceed no further therein, but another judge shall be assigned to hear  
3 such proceeding.” “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United*  
4 *States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*,  
5 993 F.2d 710, 712 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an  
6 extrajudicial source.”).

7 The Court has reviewed the instant Motion and agrees with Judge Coughenour’s  
8 analysis. Courts, including this one, have routinely rejected Plaintiff’s theory that senior  
9 District Judges cannot exercise federal judiciary power. Dkt. #37 at 2 (citing *Hoang v. Bank of*  
10 *Am., N.A.*, 2021 WL 615299, slip op. at 4–5 (W.D. Wash. 2021)).

11 Plaintiff has not otherwise demonstrated a reasonable basis to question Judge  
12 Coughenour’s impartiality or to justify recusal. Accordingly, the Court finds and ORDERS  
13 that Judge Coughenour’s Minute Order declining to recuse himself, Dkt. #37, is AFFIRMED.

14 DATED this 4<sup>th</sup> day of April, 2022.

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17 RICARDO S. MARTINEZ  
18 CHIEF UNITED STATES DISTRICT JUDGE  
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